

ORIGINAL
RICHARD S. BECKER & ASSOCIATES

CHARTERED
1915 EYE STREET, N.W.
EIGHTH FLOOR
WASHINGTON, D.C. 20006

(202) 833-4422

TELECOPIER
(202) 296-7458

RICHARD S. BECKER
JEFFREY E. RUMMEL
OF COUNSEL
JAMES S. FINERFROCK

RECEIVED
MAR 15 1996
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

CONSULTING ENGINEERS
SIAMAK HARANDI
DEAKIN LAUER

March 15, 1996

DOCKET FILE COPY ORIGINAL

William F. Caton, Acting Secretary
Federal Communications Commission
Washington, DC 20554

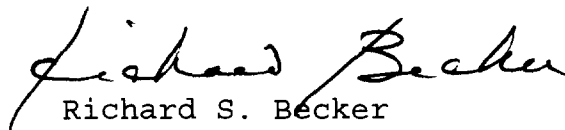
Re: In the Matter of Improving
Commission Processes
PP Docket No. 96-17

Dear Mr. Caton:

Transmitted herewith are one (1) original paper, nine (9) paper copies, one (1) silver master microfiche, and two (2) diazo duplicate microfiche copies of the Comments of the law firm of Richard S. Becker & Associates, Chartered, with respect to the Notice Of Inquiry released by the Commission on February 14, 1996, in the above-captioned proceeding.

Should you have any questions with respect to this matter, please communicate directly with this office.

Respectfully submitted,


Richard S. Becker

Enclosures

No. of Copies rec'd
List A B C D E

019

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED
MAR 15 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
) PP Docket No. 96-17
Improving Commission Processes)

To: The Commission

COMMENTS

The law firm of Richard S. Becker & Associates, Chartered ("B&A"), pursuant to 47 C.F.R. §§1.415 and 1.430, hereby submits these Comments in response to the Notice Of Inquiry¹ in the above-captioned proceeding. In support of these Comments, the following is respectfully shown.

I. Introduction

1. In the NOI, the Commission identified and described the steps taken by its various Bureaus to "eliminate backlogs, streamline processes, and reduce unnecessary regulatory burdens" through the implementation of customer service standards developed by each Bureau in September of 1995, in conjunction with the Commission's Office of Managing Director.² In this regard, the Commission sought comment, inter alia, as to: (i) how the Commission can make the licensing process faster, less expensive

¹Notice Of Inquiry, PP Docket No. 96-17, FCC 96-50 (February 14, 1996) (hereinafter "NOI").

²The Customer Service Standards of the Wireless Telecommunications Bureau ("Wireless Bureau"), available in pamphlet form at the Public Service Division of the Commission's Office of Public Affairs, will be referred to herein as the "Bureau Standards."

and more effective;³ and (ii) how "computer technology [can] ... be used to improve processing."⁴ In addition, the Commission in its NOI sought comment generally as to "whether the Bureaus are achieving their stated goals"⁵ By these Comments, B&A addresses the specific issues identified above.

II. The Interest Of B&A

2. For twenty-four (24) years, B&A's⁶ practice has encompassed all areas of communications law and includes practice before the Commission and state regulatory agencies. Among the nearly two hundred (200) carriers and other communications entities presently represented by B&A, B&A's clients include radio common carriers, cellular telephone carriers, microwave common carriers, traditional private radio operators, and Specialized Mobile Radio entrepreneurs. With a clientele consisting of both large communications corporations and small service providers throughout the United States, B&A is extremely interested in the issues identified in the NOI as they relate to its wireless telecommunications practice, including the specific issues identified above relating to the streamlining of the Commission's processes.

³NOI at ¶17.

⁴Id. at ¶9.

⁵NOI at ¶6.

⁶B&A was originally established in 1972 under the name Becker, Gurman & Lukas, and then, in 1984, the law firm Becker & Finerfrock, P.C. was established as a spin-off from the predecessor firm.

III. B&A Supports The Wireless Bureau's Efforts To Make All Of Its Databases Available To The Public Through An On-Line, Interactive Wide-Area Communications Network

3. In the NOI, the Commission stated, in relevant part, as follows:

[T]he [Wireless] Bureau is also enhancing public access to its licensing data to make information easier and less expensive to access. During 1996, the Bureau will make available all of its authorization databases in a "real-time" environment through a wide-area communications network ...⁷

By these Comments, B&A enthusiastically supports the Bureau's expeditious provision of the Commission's databases directly to the public through the Internet.⁸ In the course of representing its clientele, B&A requires access to the most recent licensing data for Commission licensees in order to ensure that B&A's clients' proposed facilities will protect other Commission co-channel licensees against electrical interference. Although the Commission's databases are unofficial sources of licensing data and may not be relied upon in favor of the information contained in the Commission's station files,⁹ direct access to the Commission's databases is an invaluable asset in connection with the preparation of technically accurate filings which comply with the Commission's Rules.

⁷NOI at ¶15.

⁸Although the details of the Bureau's plans in this regard were not discussed in the NOI, B&A assumes that the "'real-time'" environment described in the NOI refers to the Internet or some other similar on-line, interactive communications network. Therefore, for the sake of these Comments, the "wide-area communications network" referenced above will be referred to herein as the "Internet."

⁹See 47 C.F.R. §0.434(e).

4. Such direct access to the Commission's databases is likely to eliminate the periodic problems experienced by B&A (and, presumably by other law firms and communications providers) with respect to the provision of Commission licensee data through Interactive Services, Inc. ("ISI"), the Commission sub-contractor authorized since 1992 to provide interactive access to current licensee data. Although ISI regularly updates its data to conform with the Commission's databases, ISI's records too often contain errors or omissions with respect to Commission licensee data which can make the efficient preparation of applications and other filings difficult at best. Such errors or omissions in ISI's records may necessitate the amendment of applications by applicants, or such problems may even result in the return and/or dismissal of applications by the Wireless Bureau. In addition, incomplete licensing data is likely to provoke litigation and/or inquiries regarding the licensing status of communications providers which could have otherwise been avoided if the public were permitted access to current and accurate information located in the Commission's databases. Such results are in contravention of the Wireless Bureau's goals to "eliminate redundancy, reduce waste ... consolidate and automate for efficiency,"¹⁰ as well as the Bureau Standards, which, inter alia, assure the public that it "will be able to determine the status of ... license application[s]"¹¹

¹⁰NOI at ¶9.

¹¹Bureau Standards at unnumbered page 3.

5. In light of the difficulties associated with ISI's provision of licensing data, therefore, B&A respectfully expresses its support for the expeditious implementation of the plan to provide the public with direct access to the Commission's databases through the Internet. In this regard, it should be noted that Industry Canada, Canada's primary telecommunications regulatory body, already provides convenient, trouble-free access to its databases through the Internet.¹² The Commission's plans to provide similar world-wide access to its databases is a welcome regulatory change consistent with the goals of the instant proceeding.

IV. In Addition, B&A Supports The Expansion Of Uniform Electronic Filing Procedures For Services Regulated By The Wireless Bureau

6. In the NOI, the Commission described the success of its implementation of electronic filing procedures with respect to applications submitted in the Amateur Radio Service ("ARS"). In addition, the Commission stated that "electronic filing is being expanded to all wireless services."¹³ In light of the success achieved by the Wireless Bureau in reducing the processing time of ARS applications "from an average of 75 days to next day service,"¹⁴ B&A respectfully expresses its support for the rapid expansion of electronic filing procedures to all services regulated by the Wireless Bureau. In order to ensure the consistency and

¹²See http://www.ic.gc.ca/ic_data/telecom/als_data/

¹³NOI at ¶13.

¹⁴Id.

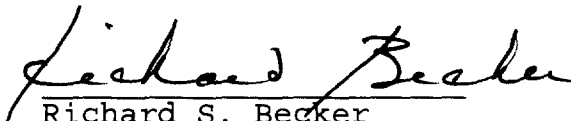
uniformity of electronically filed applications, however, B&A respectfully suggests that the Commission publish clear and precise standards as to the methods by which applications may be submitted through electronic filing. In addition, B&A respectfully recommends that, to the extent possible, the Commission make available to the public software and/or technical support to ensure the efficient implementation of its electronic filing procedures.¹⁵ Such assistance, even if it were provided at a cost to the public, would certainly assist the Commission in achieving a successful transition to the electronic filing of all Wireless Bureau applications, which, in turn, would help to accomplish the customer service goals outlined by the Commission in the NOI.

¹⁵In this regard, B&A must note its successful experiences with the Commission's "Auction Hotline" in the context of B&A's filing of applications in the Commission's auctions for Personal Communications Services.

WHEREFORE, B&A respectfully submits these Comments with respect to the NOI in the above-captioned proceeding.

Respectfully submitted,

**RICHARD S. BECKER & ASSOCIATES,
CHARTERED**

By: 
Richard S. Becker
James S. Finerfrock
Jeffrey E. Rummel

Richard S. Becker & Associates, Chartered
1915 Eye Street, Northwest
Eighth Floor
Washington, DC 20006
(202) 833-4422

Date: March 15, 1996

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

- o An oversize page or document (such as a map) which was too large to be scanned into the RIPS system.

- ~~o~~ Microfilm, microform, certain photographs or videotape.

- o Other materials which, for one reason or another, could not be scanned into the RIPS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.